

TEMPORARY

No. 73342T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 17 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 20 2001 under 67628T

The applicant **Round Mountain Gold Corp, Homestake Nevada Corp, BaRGold Corp dba Smoky Valley Common Operation** hereby makes application for permission to change the point of diversion, place of use and manner of use of a portion of water heretofore appropriated under Permit # 536

1. The source of water is **Jefferson Creek, Slaughter House Creek, and Shoshone Creek**
2. The amount of water to be changed **0.75 cfs**
3. The water to be used for **mining (exploration and drilling)**
4. The water heretofore permitted for **mining, power, domestic**
5. The water is to be diverted at the following point **SE¼ SE¼ of Section 8, T10N, R44E, M.D.M., or at a point from which the SE corner of said Section 8 bears S 43 degrees, 59 minutes, 49 seconds E for a distance of 1599.20 feet**
6. The existing point of diversion is located within at **junction of Jefferson and Slaughter House Creek and on Shoshone Creek two miles east of town of Shoshone**
7. Proposed place of use within **Sections 27, 28, 29, 30, 31, 32, 33 and 34, T10N, R44E. 8, 9, 10, 11, 13, 14, 15, 21, and 22 T10N, R44E, M.D.B&M.**
8. Existing place of use **Not specifically listed in permit (issued in 1907).**
9. Use will be from **January 01 to December 31** of each year.
10. Use was permitted from **January 01 to December 31** of each year.
11. Description of proposed works **Water will be extracted utilizing a centrifugal pump with a 2-3" hose, fitted with a screen filter on the intake end. Water will be pumped into an a vehicle equipped with a tank and transported to the mining exploration and drilling locations.**
12. Estimated cost of works **No Additional cost.**
13. Estimated time required to construct works **No construction required.**
14. Estimated time required to complete the application of water to beneficial use **Temporary right.**

15. Remarks: Mining exploration and drilling.

By Carrie M. Dubray
s/ Carrie M. Dubray
P.O. Box 480
Round Mountain, NV 89045

Compared gkl/bk 11/9kl

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion, place of use and manner of use of a portion of the waters of Jefferson, Slaughter House and Shoshone Creeks as heretofore granted under Permit 536 is issued subject to the terms and conditions imposed in said Permit 536 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate land.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from the State, Federal and local agencies and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

The total combined duty of water for consumptive purposes under Permits 536 and 1077, Certificate 267; Permit 2908, Certificate 353; Permit 3898, Certificate 2347; Permit 12442, Certificate 3831; Permit 12445, Certificate 3832; Permit 12768, Certificate 3751; Permit 14119, Certificate 4889; Permit 26650, Certificate 13904; Permit 26652, Certificate 13905; Permits 44297, 44299, and 44300, Certificate 13174; Permits 50971 and 51577, Certificate 13185; Permit 51578, Certificate 13186; Permits 53365, 55498, 55500, 55501, 55502, 55503, 59217, 59218, 60874, 60875, 60876, 70169 through 70185 and Temporary Permits 72099T through 72102T, 72176T, 72223T, 72224T, 72250T through 72262T, 73009T through 73041T, 73341T and 73342T will not exceed 13,910 acre-feet annually.

The estimate of the amount of water diverted from this source shall be submitted with the monthly report.

The State Engineer retains the right to impose future conditions, as necessary, upon review and evaluation of all data submitted reporting on the dewatering program, water use and the monitoring plan. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights.

All of the above stated conditions are issued subject to having no adverse impacts on existing rights.

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This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on December 1, 2006 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.75 cubic feet per second, but not to exceed 542.98 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed on or before:

N/A-Temporary

Water must be placed to beneficial use on or before:

N/A-Temporary

Proof of the application of water to beneficial use shall be filed on or before:

N/A-Temporary

Map in support of proof of beneficial use shall be filed on or before:

N/A-Temporary

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,-----

this 2nd day of December A.D. 2005


State Engineer



